

# Exhibit 8

## Kevin Rayhill

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**From:** Kevin Rayhill  
**Sent:** Friday, March 18, 2022 4:34 PM  
**To:** Kaiser, Steven J.; mmulqueen@bakerdonelson.com  
**Cc:** Ronnie Spiegel; Joseph Saveri; Chris Hydal  
**Subject:** RE: Certificate of Consultation

Steve,

We asked for you to produce documents regarding specific custodians. You refused. That is why we are filing a motion.

To restate the requests. Plaintiffs request:

- all communications between Varsity and Tate Chalk and/or Nfinity Athletic Corporation relating to Competitive Cheer, Camps, and/or Apparel;
- all communications between Varsity and Karen Noseff Aldridge and/or Rebel Athletic relating to Competitive Cheer, Camps, and/or Apparel;
- all communications between Varsity and Kevin Brubaker relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity;
- all communications between Varsity and Marlene Cota relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity;
- all communications between Varsity and Sheila Noone relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity;
- all communications between Varsity and David Owens relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity;
- all communications between Varsity and Josh Quintero relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity;
- all communications between Varsity and Abel Rosa relating to Competitive Cheer, Camps, and/or Apparel, either while an Employee of Varsity or after leaving Varsity.

Unless Varsity has run these specific searches across the documents of all custodians, including the individuals named in these Requests, then Varsity has not complied with these Requests.

Sincerely,

Kevin

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**From:** Kaiser, Steven J. <skaiser@cgsh.com>  
**Sent:** Friday, March 18, 2022 3:59 PM  
**To:** Kevin Rayhill <krayhill@saverilawfirm.com>; mmulqueen@bakerdonelson.com  
**Cc:** Ronnie Spiegel <rspiegel@saverilawfirm.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Chris Hydal <chydal@saverilawfirm.com>  
**Subject:** RE: Certificate of Consultation

Kevin,

I don't think any new facts have come to light. But, putting that aside for the moment (and of course reserving all rights), we continue to not understand what your proposal is as to 14-21. We have produced these documents within the very broad parameters (custodians and search terms) that were agreed to. What more are you looking for us to do?

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**Steven J. Kaiser**

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**From:** Kevin Rayhill <[krayhill@saverilawfirm.com](mailto:krayhill@saverilawfirm.com)>

**Sent:** Friday, March 18, 2022 6:45 PM

**To:** Kaiser, Steven J. <[skaiser@cgsh.com](mailto:skaiser@cgsh.com)>; [mmulqueen@bakerdonelson.com](mailto:mmulqueen@bakerdonelson.com)

**Cc:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Chris Hydal <[chydal@saverilawfirm.com](mailto:chydal@saverilawfirm.com)>

**Subject:** RE: Certificate of Consultation

Steve,

Plaintiffs will accept your offer regarding Request Nos. 1-13 provided we receive documents sufficient to show the 13 individuals' severance agreements, any financial arrangement between Varsity and the individuals that post-dates termination of the individuals' employment (if, for example, they are retained as consultants or continue to participate in any ESOP or other ownership arrangement), and any nondisclosure agreements. Plaintiffs will refrain from moving on these Requests if Varsity will agree to produce these documents.

Plaintiffs are standing by Request Nos. 14-21. 14 and 15 concern Varsity's communications with two of its primary competitors. And 16-21 relate to individuals whose roles at Varsity only came to light through Plaintiffs ongoing investigations. These individuals were never part of any negotiations regarding custodians, and Plaintiffs never agreed to refrain from seeking further discovery as new facts come to light.

Plaintiffs remain open to negotiation, including after we file any motion to compel.

Sincerely,

Kevin

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**From:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>

**Sent:** Friday, March 18, 2022 2:10 PM

**To:** Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Kevin Rayhill <[krayhill@saverilawfirm.com](mailto:krayhill@saverilawfirm.com)>; Chris Hydal <[chydal@saverilawfirm.com](mailto:chydal@saverilawfirm.com)>

**Subject:** FW: Certificate of Consultation

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**From:** Kaiser, Steven J. <[skaiser@cgsh.com](mailto:skaiser@cgsh.com)>

**Sent:** Friday, March 18, 2022 2:05 PM

**To:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>

**Cc:** [mmulqueen@bakerdonelson.com](mailto:mmulqueen@bakerdonelson.com)

**Subject:** RE: Certificate of Consultation

Ronnie, we were a bit taken aback by this insofar as Kevin asked for a response by today but then you sent this.

In any event, in the spirit of compromise, Varsity would be willing to provide the agreements that are sought to resolve those requests (1-13) to the extent they exist and Varsity can locate them through a reasonable search. This is not an "agreement" to do that that you may pocket as you seek more on 1-13, but an offer that we hope you will accept to resolve 1-13 both ways. Varsity does not think that any of the agreements, or this line of discovery, is relevant or appropriate, but is interested in moving things forward in a productive way.

As to the other documents (RFPs 14-21), as you know we negotiated a very specific and extensive set of protocols to find and produce documents that relate to the substance of Plaintiffs' allegations. To the extent the individuals and organizations surfaced during those reviews, the documents that would be responsive to RFPs 14-21 would have been included in the production. So at some level we don't really understand what we are being asked to do or why we are being asked to do it. If the idea is to pull in more custodians in, that just seems like renegeing on our agreement about custodians. Perhaps you can explain.

We are really trying to understand where you are coming from on all of this; please help us.

Thanks.

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**Steven J. Kaiser**

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**From:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>

**Sent:** Friday, March 18, 2022 3:43 PM

**To:** Kaiser, Steven J. <[skaiser@cgsh.com](mailto:skaiser@cgsh.com)>; [mmulqueen@bakerdonelson.com](mailto:mmulqueen@bakerdonelson.com); [nberkowitz@bakerdonelson.com](mailto:nberkowitz@bakerdonelson.com); [bgaffney@lockelord.com](mailto:bgaffney@lockelord.com)

**Cc:** Vicky Sims <[Vicky@cuneolaw.com](mailto:Vicky@cuneolaw.com)>; Mark R. Suter <[msuter@bm.net](mailto:msuter@bm.net)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Kevin Rayhill <[krayhill@saverilawfirm.com](mailto:krayhill@saverilawfirm.com)>; Elissa A. Buchanan <[EABuchanan@saverilawfirm.com](mailto:EABuchanan@saverilawfirm.com)>

**Subject:** RE: Certificate of Consultation

Hi Steve,

Please also note that Plaintiffs plan to move to compel today on RFP 6 from Plaintiffs' First set of RFPs to Varsity re Varsity's failure to provide sufficient data on camps as promised, as well as RFPs 1-21 from Plaintiffs' Second Set of RFPs to Varsity and Interrogatories 12, 14, 18, and 19 from Plaintiffs' First Set of Interrogatories to Varsity. Kindly let us know Varsity's position for the certificate of consultation. We remain available today if Varsity believes there is any room for compromise or items to further discuss.

Best,  
Ronnie

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**From:** Kaiser, Steven J. <[skaiser@cgsh.com](mailto:skaiser@cgsh.com)>

**Sent:** Friday, March 18, 2022 12:10 PM

**To:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>; [mmulqueen@bakerdonelson.com](mailto:mmulqueen@bakerdonelson.com); [nberkowitz@bakerdonelson.com](mailto:nberkowitz@bakerdonelson.com); [bgaffney@lockelord.com](mailto:bgaffney@lockelord.com)

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Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Kevin Rayhill <[krayhill@saverilawfirm.com](mailto:krayhill@saverilawfirm.com)>; Elissa A. Buchanan <[EABuchanan@saverilawfirm.com](mailto:EABuchanan@saverilawfirm.com)>

**Subject:** RE: Certificate of Consultation

I'll check with the client. You've given me no basis for a deposition, but I'll let you know if the threat moves them.

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**Steven J. Kaiser**

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**From:** Ronnie Spiegel <[rspiegel@saverilawfirm.com](mailto:rspiegel@saverilawfirm.com)>

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**To:** Kaiser, Steven J. <[skaiser@cgsh.com](mailto:skaiser@cgsh.com)>; [mmulqueen@bakerdonelson.com](mailto:mmulqueen@bakerdonelson.com); [nberkowitz@bakerdonelson.com](mailto:nberkowitz@bakerdonelson.com); [bgaffney@lockelord.com](mailto:bgaffney@lockelord.com)

**Cc:** Vicky Sims <[Vicky@cuneolaw.com](mailto:Vicky@cuneolaw.com)>; Mark R. Suter <[msuter@bm.net](mailto:msuter@bm.net)>; Joseph Saveri <[jsaveri@saverilawfirm.com](mailto:jsaveri@saverilawfirm.com)>; Ashleigh Jensen <[ajensen@saverilawfirm.com](mailto:ajensen@saverilawfirm.com)>; Kevin Rayhill <[krayhill@saverilawfirm.com](mailto:krayhill@saverilawfirm.com)>; Elissa A. Buchanan <[EABuchanan@saverilawfirm.com](mailto:EABuchanan@saverilawfirm.com)>

**Subject:** Certificate of Consultation

Hi Steve,

As a head's up, we plan to move to compel the deposition of Adam Blumenfeld, and plan to file papers later today. Per the requirement for the certificate of consultation we are letting you know and ask that you kindly confirm back to us your position. We remain available to speak this afternoon. However, my understanding is that Varsity has confirmed that Mr. Blumenfeld will not be made available and that the parties are at complete impasse on this item.

Best,  
Ronnie

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